



AGENDA ITEM NO. _____

STAFF REPORT

MAPC: January 5, 2023

DAB IV: January 9, 2023

CASE NUMBER: ZON2022-00066 (City)

APPLICANT/AGENT: Golden Eagle Properties LLC (Applicant)/Jim Morgan (Agent)

REQUEST: NO Neighborhood Office District

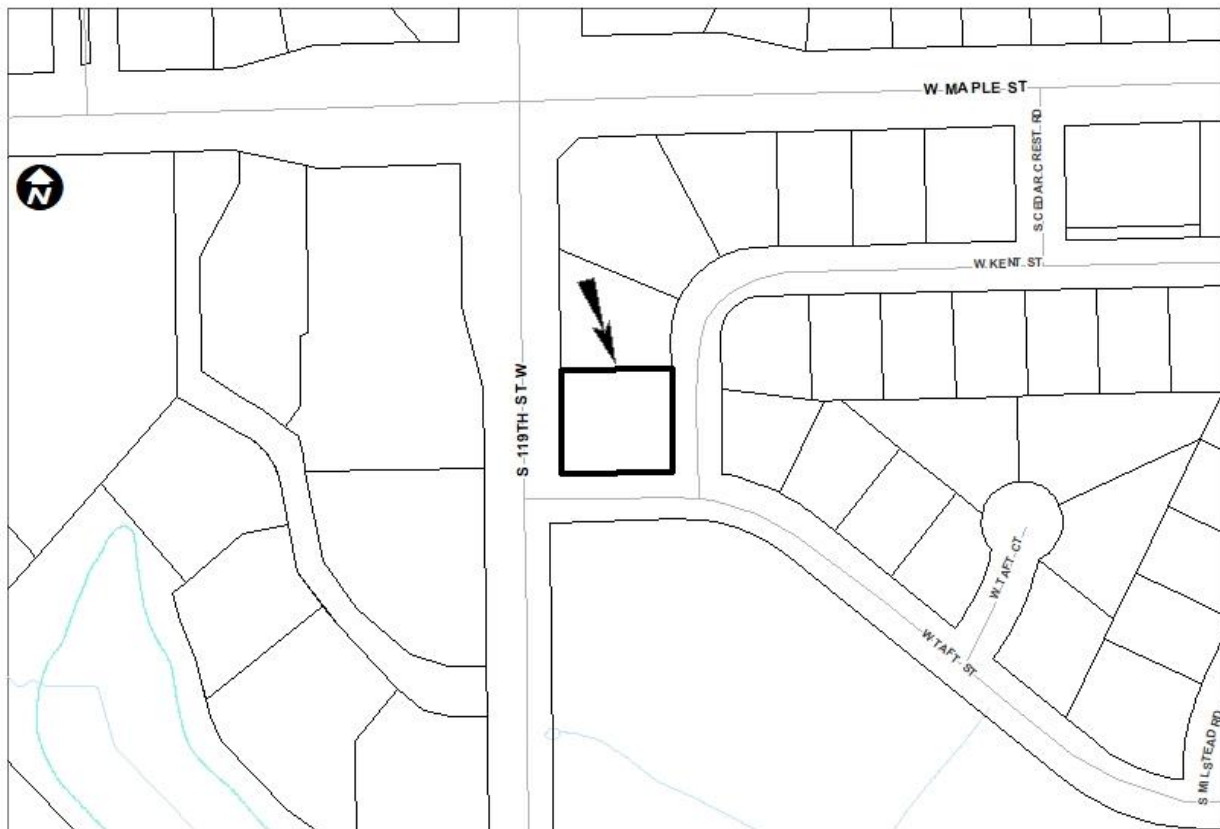
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.40 acres

LOCATION: Generally located on the east side of South 119th Street West and within 400 feet of West Maple Street (11924 West Taft Street)

PROPOSED USE: To allow for an insurance agency

RECOMMENDATION: Approval subject to Protective Overlay #403



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District. The subject site is generally located on the east side of South 119th Street West and within 400 feet of West Maple Street (11924 West Taft Street). The subject site is currently developed with a single-family residential dwelling. The applicant proposes to open an insurance agency on site.

The applicant proposes to utilize the existing single-family residential dwelling for the insurance business. The 2,306 square foot residential dwelling on site was constructed in 1967. Neighborhood Office District is the most restrictive commercial zoning district. The height restrictions and minimum lot size for SF-5 Single-Family Residential District and NO Neighborhood Office District are the same at 35 feet and 5,000 square feet, respectively. Parking for “Office, General” is one parking space per 333 square feet. Therefore, the applicant will need to provide seven parking spaces for the business. There is a circular driveway in front of the house, on the south end of the property, as well as a detached garage on the west end of the property with a driveway that may satisfy the parking requirement. The parking requirement can be reduced up to 25 percent with an Administrative Adjustment.

Properties to the north and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned SF-5 Single-Family Residential District and is in use as a public park. Property to the west is zoned LC Limited Commercial District and is developed with a shopping complex that includes restaurants, a nail salon, and a tanning salon.

Previously, the MAPC and Planning Staff have recommended zoning changes with protective overlays on residential properties that:

- abut arterials; and
- are adjacent to non-residential and residential uses.

These types of applications are generally recommended for approval because:

- the “NO” district is intended to be a very low-intensity office use that is more compatible with nearby residential uses and permits a limited number of non-residential uses;
- the size of the subject property is usually limited in size and too small for more intensive uses; and
- Protective Overlays are applied to help mitigate any anticipated substantial adverse impacts.

One example of a previously approved similar zone change is 1930 North Maize Road, where there is a residential-appearing structure that currently serves as an insurance office. In 2002, the City of Wichita approved a zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District, subject to Protective Overlay #110 (ZON2002-00016).

Because the subject site abuts residential zoning on the north, south, and east, it will be required to install screening and landscaping. There is currently a wood fence on the south, east, and west elevations, but a landscape plan must be reviewed and submitted prior to the issuance of building permits. The screening and landscape requirements, along with the Protective Overlay, can mitigate possible negative impacts.

CASE HISTORY: On July 23, 1964, the West Millbrook Addition was created. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential dwelling
SOUTH:	SF-5	Public park
EAST:	SF-5	Single-family residential dwellings
WEST:	LC	Shopping center (Restaurants, salons)

PUBLIC SERVICES: This site has access to South 119th Street West, which is a five-lane arterial with sidewalks on each side, as well as West Taft Street, a two-way, paved, two-lane local street with no sidewalks on either side.

Wichita Transit does not serve this site. Municipal services, such as water and sewer, are already in place and ready to serve the site.

CONFORMANCE TO PLANS/POLICIES: The request to rezone the property is not in conformance with the following adopted plans:

The Community Investments Plan. The requested zoning is not in conformance with the *Community Investment Plan's* 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "Residential" uses, which the *Plan* defines as "areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, playgrounds, small parks and other similar residential-serving uses are located in these areas." However, the applicant proposes to utilize the existing residential dwelling to operate an insurance agency. Additionally, the property is adjacent to an area appropriate for "Commercial" uses.

However, the requested zone change is in conformance with the Locational Guidelines of the *Community Investments Plan*. The *Plan* states that "Higher-density residential uses and neighborhood-serving retail and office uses should buffer lower-density residential uses from major commercial and employment centers and industrial uses." The requested zone change serves as a buffer between the adjacent LC Limited Commercial District shopping center and the SF-5 Single-Family Residential District zoning.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request subject to Protective Overlay #403.

Protective Overlay #403

1. The property shall be developed with a building that has exterior walls of brick and/or wood and a double-pitched gable or hip style roof.
2. One freestanding monument-type sign with materials matching those of the building not exceeding six feet in height.
3. The site shall be developed in general conformance with the revised site and landscape plans as approved by the Planning Director.
4. Permitted uses shall be restricted to single-family residential, medical office or general office uses.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is primarily residential adjacent to a commercial retail center. Properties to the north and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned SF-5 Single-Family Residential District and is in use as a public park. Property to the west is zoned LC Limited Commercial District and is developed with a shopping complex that includes restaurants, a nail salon, and a tanning salon.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for the development of single-family residential dwellings or a limited number of civic uses.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone

change from SF-5 Single-Family Residential District to NO Neighborhood Office District will allow for an insurance agency on site, along with a limited number of commercial uses. Though there will be a slight increase in traffic, office uses are generally compatible abutting residential properties because the use is during normal business hours. The provisions of the protective overlay are designed to enhance the compatibility with the neighborhood and mitigate possible negative impacts.

4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in partial conformance with the *Community Investments Plan*, as discussed in this staff report.
5. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. It will likely bring a minimal increase in traffic along West Taft Street.








Attachments:

1. Aerial Map
2. Future Growth Concept Map
3. Zoning Map
4. Site Pictures




2035 Wichita Future Growth Concept Map

Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

Statistical Development Areas

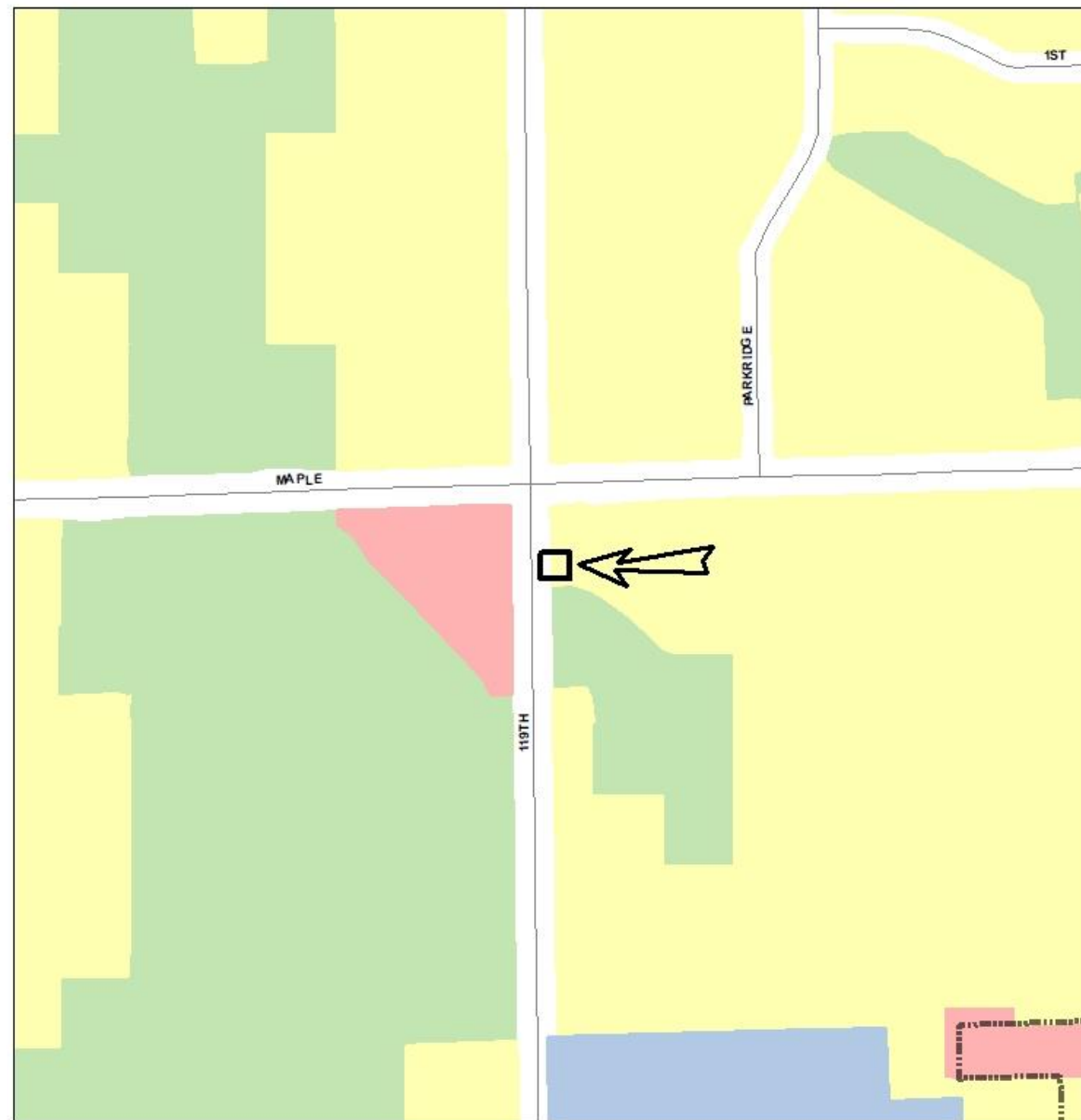
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

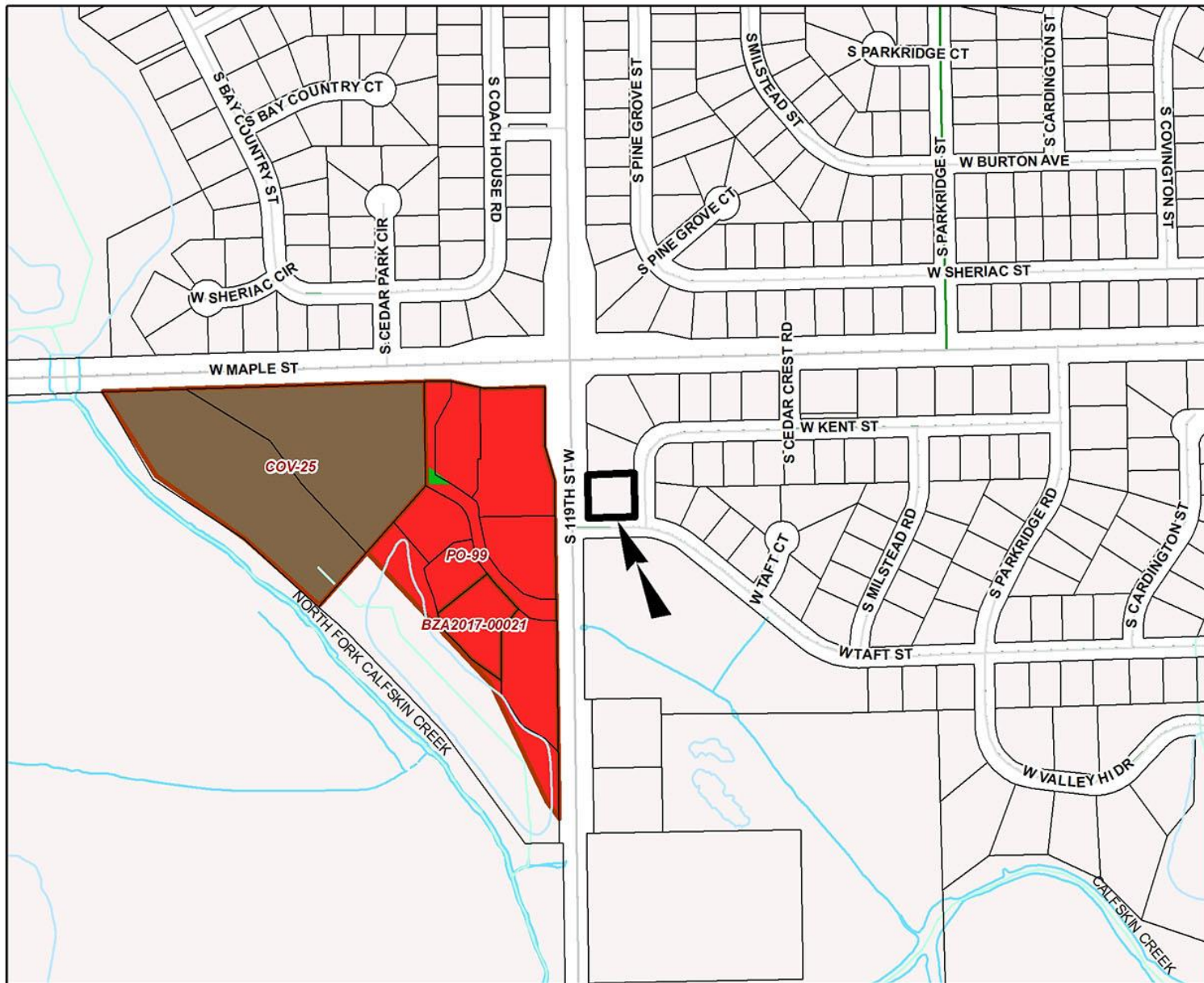
LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd_Plan_Areas











Map prepared by the Metropolitan Area Planning Commission (MPC) for the City of Wichita, Kansas. The map is a conceptual representation of future growth and is not intended to be used for legal purposes. The map is based on the 2035 Future Growth Concept Map and is subject to change without notice. The map is a conceptual representation of future growth and is not intended to be used for legal purposes. The map is based on the 2035 Future Growth Concept Map and is subject to change without notice.





ZONING

-  RR
-  SF-20
-  SF-10
-  SF-5
-  TF-3
-  MF-18
-  MF-29
-  B
-  MH
-  NO
-  GO
-  NR
-  LC
-  GC
-  CBD
-  OW
-  IP
-  LI
-  IP-A
-  GI
-  AFB
-  U
-  PUD
-  AIRPORT
-  OLD TOWN
-  HISTORICAL
-  DELANO



Looking north towards site



Looking south away from site



Looking north away from site



Looking west away from site



Looking east away from site



Looking west towards site



Looking east towards site

